

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPELLANTS: Shintaro Okada DOCKET NO.: 09792909-6376
SERIAL NO.: 10/553,085 GROUP ART UNIT: 2624
FILING DATE: October 11, 2005 EXAMINER: Max Shikhman
INVENTION: “SIGNAL PROCESSING APPARATUS AND METHOD, RECORDING
 MEDIUM AND PROGRAM”

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Reply to Notification of Non-Compliant Appeal Brief (37 CFR 41.37)

Sir:

This reply is filed in conformance with the requirements of the Notification of Non-Compliant Appeal Brief mailed November 17, 2009. Provided herewith is a paper correcting the Appeal Brief's Section III, Status of Claims section, under 37 CFR §41.37(c)(1)(iii).

If any further fees are required in connection with the filing of this response, please charge the same to our Deposit Account No. 19-3140.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By */ Michael L. Day /*

Michael L. Day, Reg. No. 55101
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, IL 60606-1080
415-882-5064 (telephone)
415-882-0300 (facsimile)
ATTORNEYS FOR APPLICANTS

Serial No.: 11/553,085

Docket No.: 09792909-6376

Paper submitted January 11, 2010, responsive to Notice of Non-Compliant Appeal Brief, mailed November 17, 2009

III. STATUS OF CLAIMS:

Claims 1-3 and 5 are pending in the application and are the subject of the instant appeal. A copy of claims 1-3 and 5 is appended hereto as the Claims Appendix.

The status of the claims on appeal is as follows:

Independent claims 1 and 5, and dependent claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tsuchiya, US Pub no. 2001/0038716 (hereinafter, "*Tsuchiya*") in view of Nakajima, U.S. Pub no. 2004/0008902 (hereinafter, "*Nakajima*").

Claims 4 and 6 were previously canceled.